

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

V.

ERIC PRESCOTT KAY

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NO. 4:20-CR-00269-Y

DEFENDANT'S MOTION TO EXTEND SENTENCING DEADLINES

TO THE HONORABLE TERRY R. MEANS,
DISTRICT JUDGE, NORTHERN DISTRICT OF TEXAS:

COMES NOW, Eric Prescott Kay (Defendant), by and through his attorney of record, Cody L. Cofer (Counsel), and moves the Court to extend the deadlines for sentencing motions and materials. **Counsel requests the Court extend deadlines by 20 days.** As grounds for this request and in support thereof, Defendant would show the Court:

1. The PSR was filed on April 20, 2022. (ECF 149). Objections to the presentence report (PSR) are due on August 18, 2022. (ECF 161). Sentencing materials and any memorandum are due on September 1, 2022. (ECF 161). Sentencing is scheduled for October 11, 2022. (ECF 161).
2. Counsel has filed transcript order forms for all transcripts in this case. Counsel has received transcripts for all proceedings except for the jury trial. Without the trial transcript Counsel is unable to effectively prepare for and litigate sentencing issues.

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3. Counsel conferred the attorney for the Government. The Government is unopposed to the requested extension. Presently, both parties would prefer the Court not continue the final sentencing hearing.
4. Counsel moves the Court to extend deadlines for PSR objections to September 7, 2022, and sentencing materials to September 21, 2022. Counsel expects this would allow the Court to proceed with sentencing as scheduled on October 11, 2022.

WHEREFORE PREMISES CONSIDERED, Defendant prays that in the above referenced and entitled cause, the Court extend sentencing deadlines.

Respectfully submitted,

/s/ Cody L. Cofer

Cody L. Cofer

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Attorney for Defendant

CERTIFICATE OF CONFERENCE

I hereby certify that on August 18, 2022, I conferred with the attorney for the Government. The Government does not object to this motion.

/s/Cody L. Cofer

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2022, I electronically filed the foregoing document with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorney for the Government.

/s/Cody L. Cofer

Cody L. Cofer

Attorney for Defendant